

Message Text

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INFO OCT-01 AF-01 ARA-01 EUR-01 ADP-00 /005 R

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APPROVED BY: H.D. CAMITTA

AF/W: MR. GAY (INFO)

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R 281309Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY DAR ES SALAAM

AMEMBASSY BOGOTA

AMEMBASSY MOSCOW

UNCLAS STATE 170783

FOLLOWING TEL SENT ACTION SECSTATE INFO USUN FROM GENEVA AUG. 24
REPEATED FOR YOU:

QUOTE

UNCLAS GENEVA 4554

EO 11652: N/A

TAGS: PBOR, UN

SUBJECT: LOS: MAIN COMMITTEE MEETING AUGUST 22

1. SUMMARY: US REP (STEVENSON) GAVE STATEMENT IN MAIN
COMMITTEE (TEXT SENT SEPTTEL), COMMENTING ON PREPARATIONS
FOR LOS CONFERENCE, INDICATING US SUPPORT FOR PROVISIONAL
APPLICATION FOR BOTH DEEP SEABEDS AND FISHERIES ASPECTS
OF TREATY, AND STRESSING NEED FOR COMPULSORY DISPUTE
SETTLEMENT PROCEDURES. REMAINDER OF SESSION DEVOTED
TO STATEMENTS ASSESSING PROGRESS OF PREPARATIONS AND
APPROVAL OF SUBCOMMITTEE III REPORT. END SUMMARY.

2. TANZANIA REP STATED PREPARATIONS FOR LOS CONFER-
ENCE HAVE BEEN INADEQUATE AND SOLUTIONS PROPOSED SO
FAR TO IMPROVE PREPARATION WOULD NOT SOLVE PROBLEM.

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HE ASSERTED FAILURE TO AGREE WAS NOT DUE TO LACK OF

TIME BUT TO LACK OF WILLINGNESS TO NEGOTIATE. HE OBSERVED THAT AFRICAN GROUP HAD COME TO GENEVA EXPECTING TO ENTER NEGOTIATIONS. AFRICANS, HE SAID, HAD TAKEN INTO CONSIDERATION COMMENTS AND CRITICISM MADE BY OTHERS REGARDING AFRICAN LOS POSITIONS, GIVING AS EXAMPLE TERRITORIAL SEA ISSUE. THOSE IN AFRICAN GROUP WHO HAD INTENDED TO EXTEND TERRITORIAL SEA HAD BEEN PREVAILED UPON TO WAIT UNTIL AFTER LOS CONFERENCE. HE STRESSED THE GROUP HAD TAKEN INTERNATIONAL CONCERNS REGARDING STRAITS INTO CONSIDERATION AND HAD LEFT DOOR OPEN FOR NEGOTIATION ON THIS QUESTION. SIMILARLY AFRICANS HAD BEEN FLEXIBLE ON LAND-LOCKED ISSUE. HE COMPLAINED THAT AFRICAN WILLINGNESS TO NEGOTIATE HAD NOT BEEN RECIPROCATED AND THIS HAD CAUSED BITTER DISAPPOINTMENT AND INSTEAD OF RESPONDING TO AFRICAN APPROACHES, AFRICANS HAD BEEN ACCUSED OF ATTEMPTING TO "ZONE LOCK" OTHER STATES AND OF THREATENING FOREIGN INVESTMENTS.

HE EXPRESSED AMAZEMENT AT EFFORT TO DEFEND EXISTING LAW AND REFUSAL TO TAKE INTO CONSIDERATION THE ECONOMIC ZONE. AS A RESULT, AFRICANS FELT CHEATED AND FEARED THEY HAD MADE GREAT MISTAKE IN COMPROMISING THEIR POSITIONS (E.G. STRAITS). HE CONCLUDED BY SAYING HE WOULD NOT RULE OUT THE POSSIBILITY OF CONSULTATIONS IN OTHER FORA BEFORE SANTIAGO.

3. COLOMBIAN REP DESCRIBED CONSENSUS ON "NEW TREND" IN INTERNATIONAL LAW REGARDING ESTABLISHMENT OF PATRIMONIAL SEA OR ECONOMIC ZONE. HE SAID COASTAL STATES SHOULD HAVE SOVEREIGN RIGHTS WITH RESPECT TO EXPLOITATION OF RESOURCES IN ZONE BEYOND TERRITORIAL SEA BUT THIS RIGHT PRESUPPOSES COASTAL STATE OBLIGATIONS TOWARD INTERNATIONAL COMMUNITY, PARTICULARLY IN REGARD TO ENVIRONMENT AND SCIENTIFIC RESEARCH. HE STATED THAT SOME MAJOR POWERS INDICATED WILLINGNESS TO NEGOTIATE IN REGARD TO PATROMONIAL SEA CONCEPT CITING SPECIFICALLY PRC AND US (AMBASSADOR STEVENSON BY NAME). HE CONTRASTED THIS WITH UNNAMED DEVELOPED COUNTRIES WHICH CLAIMED TO BE REVOLUTIONARY BUT ARE UNCLASSIFIED

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IN FACT MOST CONSERVATIVE ON ISSUE.

4. USSR REP MADE VERY STRONG AND LENGTHY STATEMENT SAYING THAT PREPARATIONS FOR CONFERENCE ARE COMPLETELY INADEQUATE. SITUATION, HE SAID, IS MOST UNSATISFACTORY IN REGARD TO ISSUES OF TWELVE-MILE TERRITORIAL SEA, NAVIGATION AND STRAITS, FISHERIES BEYOND TERRITORIAL SEA, AND OUTER BOUNDARY OF CON-

TINENTAL SHELF. FAILURE ON THESE CANNOT HELP AFFECT CONSIDERATION OF OTHER ISSUES AND WILL HAVE NEGATIVE IMPACT ON POSSIBILITY OF REACHING AGREEMENT ON TREATY ON SEABEDS. SETTLEMENT OF LATTER ISSUE IS IMPOSSIBLE WHILE BOUNDARY QUESTION IS LEFT UNRESOLVED. SOVIET REP COMPLAINED THAT THERE HAS BEEN NO SERIOUS DISCUSSION WITH REGARD TO SOVIET FISHING PROPOSAL AND ARGUED THAT ESTABLISHMENT OF ZONE WOULD NOT INCREASE FISHING CAPACITY OF DEVELOPING COASTAL STATES. HE STATED THAT IF THERE WAS TO BE INTERNATIONAL AGREEMENT ON THE ECONOMIC ZONE IT WOULD BE NECESSARY TO TAKE INTO CONSIDERATION INTERNATIONAL COMMUNITY INTERESTS INCLUDING FISHING RIGHTS OF OTHER STATES. SOVIET DEL SAID HE WAS PREPARED TO DISCUSS THESE ISSUES INCLUDING ISSUE OF ECONOMIC ZONE. ON STRAITS, HE SAID, SOVIET PROPOSALS HAD TAKEN INTO CONSIDERATION VIEWS OF OTHER STATES INCLUDING SECURITY, POLLUTION CONTROL, OVERFLIGHT INTERESTS OF STRAITS STATES. HE EXPECTED OTHER COUNTRIES LIKEWISE TO ACCOMMODATE SOVIET INTERESTS. HE ACKNOWLEDGED THAT STRAITS PROBLEM MAY REMAIN WITHOUT SOLUTION BUT WARNED THAT ECONOMIC ZONE MAY DO SO AS WELL. FINALLY HE STRESSED CONCILIATORY SOVIET ATTITUDE IN REGARD TO SEABED EXPLOITATION WHERE SOVIETS ACCEPTED POSITION THAT BOTH STATES AND INTERNATIONAL ORGANIZATION WOULD HAVE RIGHT TO EXPLOIT RESOURCES. HE CRITICIZED THAT GROUP OF COUNTRIES WHICH ADVOCATE GIVING AUTHORITY EXCLUSIVE RIGHT OF EXPLOITATION. POLAND MADE SIMILAR INTERVENTION STRESSING THAT PREPARATIONS HAVE BEEN INADEQUATE.

5. CHAIRMAN MADE CLEAR THAT HE DID NOT WISH TO ENCOURAGE DEBATE ON ADEQUACY OR INADEQUACY OF UNCLASSIFIED

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PREPARATIONS FOR CONFERENCE. HE STATED DIFFERENCES ARE O GREAT THAT ISSUE MUST BE LEFT TO UNGA TO DECIDE. BASSIN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 28 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE170783
Document Source: CORE
Document Unique ID: 00
Drafter: L/OA: H.D. CAMITTA
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730810/aaaaahiz.tel
Line Count: 159
Locator: TEXT ON-LINE
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: collinp0
Review Comment: n/a
Review Content Flags:
Review Date: 10 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10-Sep-2001 by reddocgw>; APPROVED <15 FEB 2002 by collinp0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: MAIN COMMITTEE MEETING AUGUST 22
TAGS: PBOR, UN
To: DAR ES SALAAM MOSCOW
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005